

U.S. DISTRICT COURT  
EASTERN DISTRICT-WI  
FILED  
UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

07 FEB 21 P2 24

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL J. RIO,

Defendant.

Case No. 06-CR-155  
[18 USC §§ 2423(b) and  
2422(b)]

**SUPERSEDING INDICTMENT**

**COUNT ONE**

**THE GRAND JURY CHARGES THAT:**

On or about May 15, 2006, in the State and Eastern District of Wisconsin, and elsewhere,

**MICHAEL J. RIO**

did knowingly travel in interstate commerce, that is, from the State of Illinois to Milwaukee, Wisconsin, for the purpose of engaging in illicit sexual conduct, to wit: a sexual act (as defined in Title 18, United States Code, Section 2246) with a person under eighteen years of age, and said sexual act would be in violation of Chapter 109A of Title 18, United States Code, specifically Title 18, United States Code, Section 2243, if the sexual act

occurred in the special maritime and territorial jurisdiction of the United States.

All in violation of Title 18, United States Code, Section 2423(b).

**COUNT TWO**

**THE GRAND JURY FURTHER CHARGES THAT:**

From on or about May 13, 2006, to on or about May 15, 2006, in Illinois, and within the Eastern District of Wisconsin, and elsewhere,

**MICHAEL J. RIO**

used a facility and means of interstate commerce to knowingly attempt to persuade, induce, entice and coerce a minor to engage in sexual activity, for which any person can be charged with a criminal offense, namely, under Wisconsin Statute 948.02 (2).

All in violation of Title 18, United States Code, Section 2422(b).

### **FORFEITURE NOTICE**

The United States seeks forfeiture of any property, real and personal, of the defendant that was used or intended to be used to commit or to facilitate the commission of the violations set forth in Count One and Count Two, as authorized by Title 18, United States Code, § 2428. The properties subject to forfeiture include but are not limited to:

- a. A Garmin GPS Unit, Serial Number 88573031.
- b. An Elitegroup Black GQ5080 computer, with a 40 gigabyte Western Digital hard drive, Serial Number WCAJC2956322.
- c. An unnamed silver computer, with a 80 gigabyte Barracuda hard drive, Serial Number SJVRKSAP and a 40 gigabyte Western Digital hard drive, Serial Number WCAATH134747.


Pursuant to Title 18, United States Code, Section 2428(b)(1)(A).

In the event that any property described as being subject to forfeiture pursuant to Title 18, United States Code, Section 2428, as the result of any act or omission of the defendant:


- a. Cannot be located upon exercise of due diligence;
- b. Has been transferred or sold to, or deposited with, a third party;
- c. Has been placed beyond the jurisdiction of the court;
- d. Has been substantially diminished in value; or
- e. Has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 18, United States Code, Section 2428 (b)(2), to seek forfeiture of any other property of the defendant, up to an amount equivalent to the value of the property described above.

**A TRUE BILL:**

  
FOREPERSON

Dated: 2-21-07

  
STEVEN M. BISKUPIC  
United States Attorney